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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"

BUSINESSMEN ARE ON STRIKE

Belarusan businessmen gathered in Minsk on 31 January and held their first meeting. Meeting participants passed a resolution demanding repeal of the presidential decrees № 14 and № 40, which are considerably limited entrepreneurs rights. Striking businessmen demanded also to cancel the double surplus value tax, to reduce penalties to reasonable rate and so on. They included even drastic articles to the resolution such as demand of A.Lukashenka's dismissal and declaration of his policy regarding Belarusan people to be genocide.



Valery Levanewsky is speaking out.

The struggle between entrepreneurs for their rights and authorities lasted the whole passed year. Several times countrywide strikes were declared. The authorities promised to re-consider their attitude towards sellers. But in reality every step done by the authorities and every Lukashenka's edict about regulations of entrepreneurs work made the conditions of sellers' work even worse. Agreements, which were reached in the September 1999 about changes amendments to the presidential decree № 14, are not fulfilled yet. Meanwhile the authorities fruitfully used the last year. "Official" and loyal to the authorities trade union "Sadruzhnasts" (Commonwealth) was set up in 1999. Its members didn't support the 31 January strike. That's why there is no unanimity among entrepreneurs.

Nevertheless, more than 87 per cent of the market sellers countrywide didn't show up on their working places on 1 February. But strict and uncompromising policy run by the authorities in respect of businessmen led to the end of the strike in a week time. Thus, the majority of market sellers held out for one week. And on 12 February V.Levanewsky, chairman of the striking committee, was forced to suspend the strike. The striking



A market.

committee is going to declare countrywide strike again in case the authorities once more play a trick on businessmen and their promises to launch talks and to make concessions to the entrepreneurs will be next in turn lies...



Market sellers and entrepreneurs are striking together with their children.

CHRONICLE

On 3 February, non-registered public organisation "Committee against war in Chechnya" conducted a picket near the Russian Federation Embassy in Minsk. About 15 people took part in the picketing. They held placards with anti-war slogans. Participants of the picket spread leaflets among passers-by with anti-war content. Picket participants tried even to hand over a text of protest to the Russian ambassador. But they failed. Nobody came out from the embassy building. After the end participants of the picket were detained by people in civil near metro station "Nyamiga." People in civil were supervised by deputy chairman of the Minsk Central Administration of Internal Affairs A.P.Barsukow. D.Yurkevich, F.Zhalewski, S.Pachobut, P.Man'kowsky, D.Dul'ko were brought to the charge office. They were drawn up charge sheets for breaking the article 167.1 (p.1) of the Administrative Code of the Republic of Belarus. Immediately after it all they were take to the Minsk Central District Court. The judge Anatol Barysionak warned four picket participants.

On 4 February, Ganna Mikheichyk, person in charge of the hospital belonging to the college № 24, together with official of the Savetski Administration of Internal Affairs knocked to the door of the room where Slavamir Adamovich, poet and journalist, lived. After they came in the room the militiaman began reproaching Slavamir Adamovich of not coming to the charge office though they suited him. The point is there was held an unauthorised meeting in Minsk on 8 December 1999. And Slavamir Adamovich took hand in it. The militia officer asked Slavamir Adamovich to follow him. In this way Slavamir Adamovich found himself in the Savetski District Court. There was held short court sitting and the judge Kazadaew brought a verdict: "to penalise Slavamir Adamovich 50.000 roubles" (60 US dollars).

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IT'S ENOUGH TO BE SLAVES!

SENSATIONAL CONFESSION DONE BY THE MILITIA LIEUTENANT ALEG BATURYN

An open letter written by the 25-year old militia lieutenant Aleg Baturyn was published in the newspaper "Narodnaya Volya" on 10 February. It was titled "Gentlemen officers, it's enough to be slaves!" "The Right to Freedom" is publishing it in abridged form.

"I am writing to you for I can't bear it any more. I can't read quietly what they write about the events of 17 October 1999 and about what happened during and after Freedom March. (...) I saw everything by the eyes of the demonstrators although in my pocket there was a document of being a militia officer. To fix everything and remember it was my task; besides it I had to be engaged in detentions of the most active participants after Freedom March and those whom I would be ordered to detain. But the main task was to provoke clashes, to fix insulting and humiliating slogans and to direct the movement of people to the direction needed for the militia. Unfortunately there were also young people brought to despair among those who were throwing stones. But all their actions were provoked and thoroughly prepared. The crowd was purposely directed to that place where a lot of stones were laid beforehand and where it was surrounded by special militia troops and internal military troops. All our actions were discussed by first assistant L.M.Rabtsaw and V.A.Mikhailowsky – L.M.Rab-tsaw's assistant, during instructing in the Personnel Chief Administration of the Ministry of Internal Affairs. There was also brain washing out, they said that marchers are only "rubbish" and "rabble" who deserve to be overwhelmed. It is they who prevent our "beloved president" from productive work. That is why we shouldn't be afraid of beating them up. We were told that the law and order were with us and there was no need to be afraid of anything. They were working upon us for two hours. After that they gave us walkie-talkie sets and "instilled us to the crowd." I know this for sure that similar "instructions" were held on that day in the Minsk Chief Administration of Internal Affairs and in the District Administrations of Internal Affairs. So don't be surprised when you see young men of a certain and even typical appearance during opposition demonstrations and rallies – these are our "order guards." Not saying about those militiamen who sit in the buses in the yards nearby or those who staying with shields usually cut off the centre of the city. This everything refers only to the militia sub-units. But there are also military internal troops, KGB special sub-units, presidential security services, fire brigades and so on that are always engaged in such events. When people after demonstration quietly go home "order guards" catch them, severely beat them up, and take them to the charge offices and into custody centres. Thus, we live under a kind of "democratic" regime." So, why did I put down this? I know what expects me for such kind of letter. But I am sick and tired already of serving to the illegitimate president whose original mandate has been over since 20 July 1999. I am tired of being permanently accessory to a crime. I mean the fates of Yury Zakharanka and Viktar Ganchar that are scarcely alive. And we all, if we keep silence, we should bear responsibility and we become participants of a crime. (...) I don't want any more to work in such kind of militia. And I don't want my children and my grandchildren one-day to blame me for that. I know that our former Minister of Internal Affairs Yury Zakharanka by his intention to create the Union of Officers had signed his own capital punishment. It was very unpleasant to hear from Mr Sivakow on his lectures when the latter made fun of Yury Zakharanka; and after him Mr Udovikaw and Mr Zhadobin (Minister of Internal Affairs assistants) did even more they used to say the following: "It serves him right!" I formed the impression that there was the year of 1937 but not 1999. That's why I want to address Belarusan people not hiding behind pseudonym. Friends, know, that there are thousands of decent people working in the militia who are absolutely tiered of serving to Juda. You know they have their families as you have, they have their beloved girls and women, children and whatever work. I spoke to many of them. The majority of these militiamen do hate the ruling regime not less than you. I believe that once a day will come when we all together militiamen and workers, doctors and teachers come out to the streets and there will be hundred of thousands of us. The regime is not eternal! Gentlemen officers, it's enough to be deceived and everyday to sink our conscience in drink! If the militia were with its people the regime would dye. Collect yourselves and do what you are whispering about in your studies and always talking about at home in the kitchen. It's enough to be slaves! Long live Belarus!"

On that very day, 10 February, a press conference was held in the headquarters of the Belarusan Popular Front. The main character of it was Mikhail Baturyn – Aleg Baturyn's brother.

Mikhail Baturyn told about

(To be continued on p. 6-7)

THEY WILL SOLVE THE PROBLEM OF YOUNG PEOPLE SEPARATELY...

CRIMINAL PERSECUTIONS OF THE FREEDOM MARCH PARTICIPANTS ARE GOING ON

Six participants of the Freedom March were instituted criminal proceedings under article 186.3 of the Criminal Code of the Republic of Belarus – organisation or active participation in mass actions breaking social order. Among those people who had been brought to book were Mikola Statkevich – leader of the Belarusan Social Democratic Party "Narodnaya Gramada," Valery Shchukin – prominent journalist and human rights activist, Anton Lazaraw (18-year old), Andrei Valabuew (17-year old), Gleb Dogil (20-year old student), and German Sushkevich (19-year old student). All of the detained had been kept since detention in custody centre. But on the eve of the OSCE summit in Istanbul and under the pressure of this influential international organisation Belarusan authorities were forced to release all of them on written pledge not to flee from prosecution. Mikola Statkevich was released on 31 October 1999 and the rest of the detained were set free on the following day.

The discharge of the political prisoners allowed A.Lukashenka to take part in the summit of the OSCE. But criminal proceedings instituted against Freedom March participants were not terminated. The investigation process was slowly going on, the witnesses were interrogated and so on. But all of a sudden the case of A.Lazaraw, A.Valabuew, G.Dogil and G.Sushkevich was separated from that of M.Statkevich and V.Shchukin. Moreover, one more article is now incriminated to young guys. This article is art. 201 (p.2) of the Criminal Code of the Republic of Belarus – malicious hooliganism. Manipulations of the investigation are clear. To charge these young guys together with one of the opposition leader Mikola Statkevich, and well-known political and public activist V.Shchukin is simply politically pointless.

The activation of the persecutions of the Freedom March participants is also not accidental. On the eve of the declared "Hot Spring- 2000" the authorities could conduct a show-trial to threaten the youth. That is why a group of young people chosen as a victim is not fortuitous. Because it was mainly youth that actively took part in the Freedom March on 17 October last year.

The materials on the criminal case instituted against A.Lazaraw, A.Valabuew, G.Dogil and G.Sushkevich will soon be submitted to the Minsk City Court. They will inform about the date of the court sitting later.

Information department of the HRC "Viasna"

Tatsyana Klimava: "The court under our circumstances is merely a screen of political persecutions"

A number of people today who suffered from political persecutions of a ruling regime is not even a list of political prisoners. Everybody of those who were put behind bars is someone's son, brother, husband or father.
That is why it's hardly possible to count how many torments and grief brought by the Lukashenka's regime there is in Belarus today. Obviously, people who passed themselves through a similar situation can imagine the worries and feelings of prisoner of conscience relatives...
Andrei Klimaw has already been two years behind bars – a deputy of the dissolved by Alexander Lukashenka Supreme Soviet, prominent Belarusan businessman and politician.
Court hearings of A.Klimaw's case are being held more than half a year. It seems very difficult for the court to charge him.
It is always very difficult to prove something non-existing...
The whole family and Andrei Klimaw's small daughter particularly believes in prompt return of a husband and a father.
Our today's interview with Andrei Klimaw's wife Tatsyana Klimava is dedicated to reminiscences, realities and hopes.


Tatsyana KLIMAVA

— Mrs. Tatsyana, do you remember how did you meet your husband?

— Of course I do! We've met for the first time on tennis coaching. I was waiting for its beginning while all of sudden interesting and handsome young man came up looked in my eyes and said in a very tender way "Hello! How are you getting on?" Generally speaking he is very easy to get along with. His glance warmed my soul. So, in this way our friendship and later love began.

— Once journalist circles discussed a question of "Andrei Klimaw's newspaper" and particularly why it was named so?..

— To answer this question it is necessary to recollect the atmosphere of those years. If I'm not mistaken it was July 1994. Nothing betokened a storm. Almost all people who were involved in private business activities were improving their positions. Their business was rising up ranging from "shuttle-traders" to those who had large firms and enterprises. Andrei from the very beginning of his business activities wanted his firm to meet best international standards. Of course Andrei used to read a lot of novels in his childhood about Russian businessmen, about Rockfeller. The name of a capitalist, as Andrei sees it, is associated first of all with his responsibility. And he believed that other people have the same associations. I think that the name of his newspaper is closely connected with his business activities. He has always tried to be responsible for what he was doing. And accordingly the newspaper became the continuation of this conception.

— Many people thought that A.Klimaw was not nationally conscious man until he was elected deputy of the Supreme Soviet. More over, his public appearances and speeches sometimes caused even a shock: it seemed that national matters were beyond his interests. Have you ever noticed Andrei's manifestations to be a Belarusan patriot?

— He used to show it by acts not by words. All his activities prove that Andrei is a nationally conscious man. His business activities corresponded with national economic interests. In fact we didn't have any objects outside Belarus. About seven hundred people worked at our enterprises in Belarus. All interests of Andrei Klimaw and all his funds were within Belarus. And when after the referendum people persistently suggested him to go outside Belarus and by it to get out of harm's way Andrei said, "Why should I get out? Let those people who are not satisfied with me go outside Belarus!"

— Yes, many people then made prognosis of Andrei Klimaw's getting out of the country. It was rumoured that he transferred his money to Russia. But it turned out lies...

— It never ever crossed his mind. Even his mother suggested him to leave the country: "They will put you behind bars, my son! Without fail they will fabricate the case..." Andrei responded saying that "There is nothing what would allowed them to put me behind bars." And his mother said: "They will put you in prison for impeachment."

— How the events of the year of 1996 told on your family excepting for imprisonment of your husband?

— It should be mentioned that immediately after the 1996 referendum a line of troubles in our life began including our business. Search after search was carried out – all of them were illegal and unauthorised. They were conducted within criminal proceedings instituted against people whom we never met and with whom our enterprises had never dealt with. In fact all the documents were confiscated in the style of gangster. I was present while they were confiscating documents and conducting some of the searches. Many people armed with gun-machines burst into the office and said: "We are from Security Council," "We are from KGB," "We are from militia"... They presented almost each state power structure! Without listing they confiscated and put in boxes all the papers and took them out. This everything, of course, couldn't pass by and did influence all our subdivisions. As a matter of fact the work of bank was paralysed because all the papers of our clients, of our credits and so on were confiscated not saying anything about joint stock venture dealing with building. They took away everything including building documentation. To continue building works (we had two very important state contracts then) we were forced to go to militia to make copies of certain documents... Without going to militia was not possible to do anything because the whole documentation was kept there. It was even impossible to make copies of the documents... There was simply no Xerox to make it. And we were forced to go there with our own Xerox... Of course, this everything influenced our life. We were forced to make extra expenditures. It was also very difficult to bear it from the moral point of view. All this process of illegal persecutions and without court interference lasted one year. When they arrested my husband it shocked the whole family. It told on my health and health of our children as well not speaking about Andrei mother's health who is an invalid suffering from hurt disease. But we held on. We organised pickets and meetings. We struggled with all ours might.

— How old are your children now?

— We two have three children. The

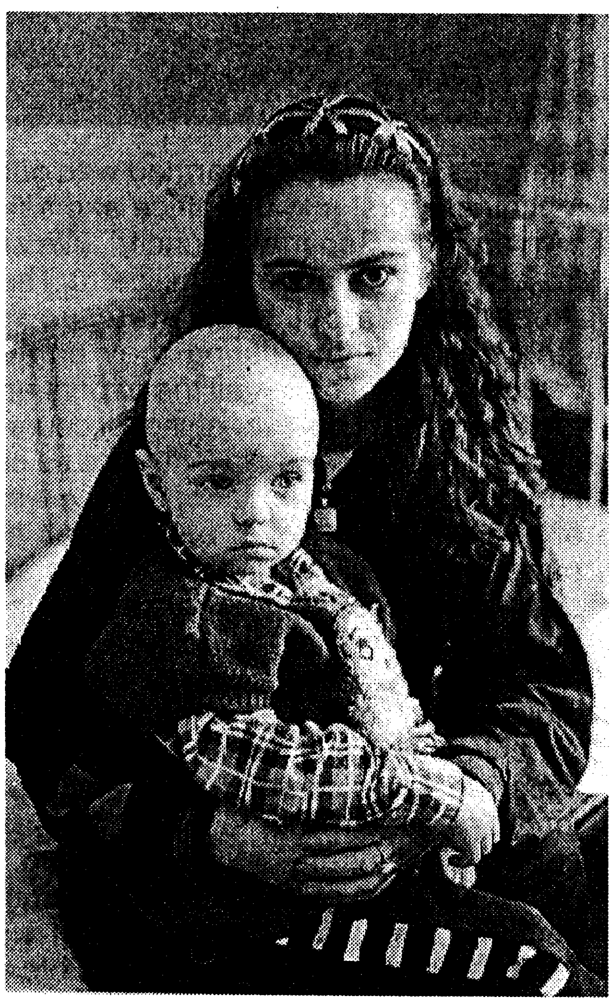
(To be continued on p. 7)

Sorrow that is always with us

The notes of a "POST CHERNOBYL" Belarusan man

One gets used to sorrow. Relying on the help of the authorities one calms oneself that it could be worse. We will manage to live through. They say people started to live again in some of the evacuated small towns and villages. People work there, grow crops and bring up children. If it was forbidden no one would allow people to live there. Hoiniki, Bragin and Naroulya are still full-bodied centers of the district live though they are stained with radiation. Yes, some people went away at the beginning of the nineties. This people were influenced by Gorbatchovs' perestroika with unconceivable glasnost. No one would know about radiation if not for glasnost. The words of foreign scientists stating that it is impossible to live there pushed people as well. Is it possible to hide from radiation that has no smell and color? Maybe it would be better to sit at home where everything is known and belongs to you? People made their decision in a hurry. Maybe someone wished to return, but their houses in Vetkaushchyna (Vetka district) and Chachershchyna (Chachersk district) are now occupied by other poor people from different "hot spots" of the former Soviet republics who ran away from more visible trouble - war and hunger. They came into the left flats and now the problem of housing is as acute there as it is in the capital. There are lots of Belarusans who refused to leave the contaminated areas and are still living there. Life goes on. They give birth to children and bring them up. From the beginning no Chernobyl victim can understand which is longer in Belarus – Lukashenka's power or Chernobyl disaster.

But one can get used to any trouble. There are no words about radiation and it's threat on the pages of the district newspapers of Wetka, Hoiniki and Bragin. The point is not that this topic is not discussed, people just had enough. What can regular district rates of radiation change. It doesn't matter how much the policemen will try to stop it; stubborn inhabitants will still gather polluted mushrooms and berries in summer and highly contaminated dry wood in winter. That is why the policemen are not very active. Everyone's life is his personal choice. What can a state with so many important tasks do? One can not imagine how many efforts the integration with brother Russia alone takes. And what about



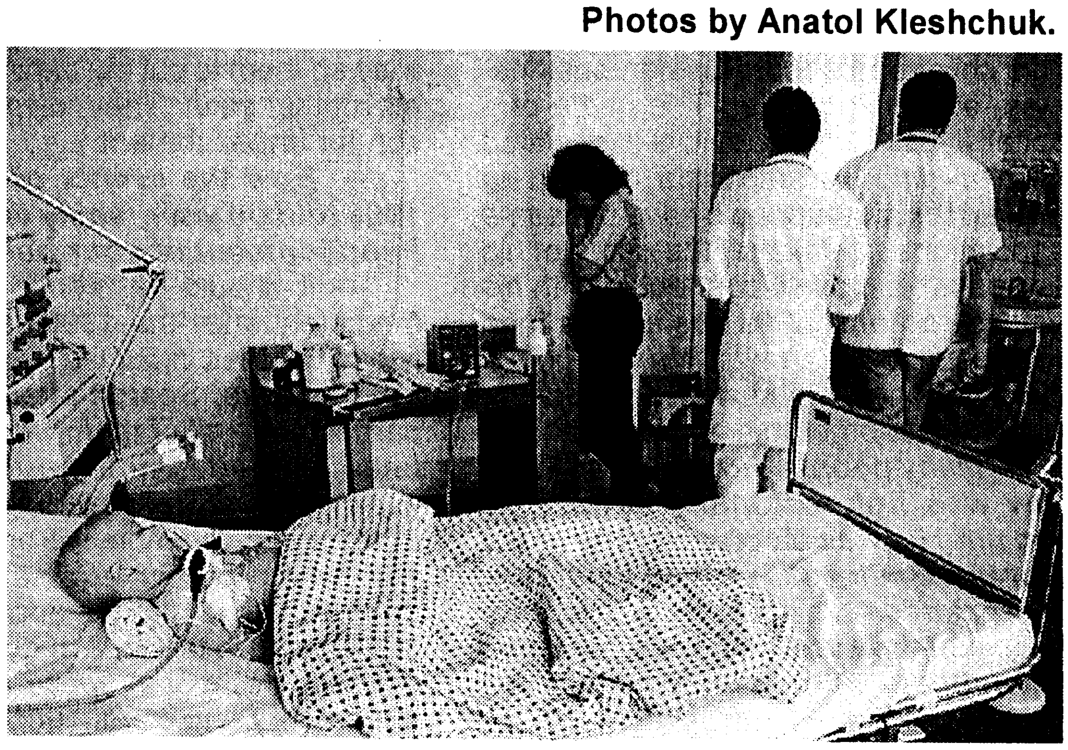




Children of Chernobyl.

Photos by Anatol Kleshchuk.





collective farming? And what about the fight with opposition? And finally what about the preparations for the presidential elections? It is very difficult to name everything of prior importance and among this some stupid radiation! The best way is just to close the topic.

In such a way the evacuated towns and villages are still alive. Even in the places that have no more houses since they were all destroyed some people make vegetable gardens. They say that they need to find a way to get food, but they do not understand that this land continues to kill with its generous gifts. Hunting is still very popular, but where the bag later goes is unknown. The same can be said for the fish caught in the local lakes and rivers, for the wood taken in the local woods and for the corn grown and collected in the contaminated former collective fields. Local deceivers say that they turn this corn into "relatively clean" food for cattle. "Relatively clean" milk is used later by the "relatively clean" population. This is "relatively peaceful" existence...

Thousands of Belarusans who were liquidating the consequences of the Chernobyl disaster died during these 13 years after the catastrophe. And how many became invalids? And how many are destined to an awful death with the state being the onlooker? The scientists who didn't want to change their conscience for big money and who do care about the destiny of the nation prove it. They are the ones who understand that the state permission to return to the contaminated areas (it was said by Lukashenka during his visit to the Chernobyl zone) is no more than a torture on the nation. They understand that it is not as easy to get rid of the Chernobyl problem as it might seem.

The real state of the Chernobyl problem does not give any reason for optimism. The program of the building of housing for people evacuated from the contaminated areas is in a very poor condition. It will take 5 years to fulfill this program on the same level of state financing as we have now. Only 6 percent of the budget are given to the program of liquidation of the consequences of the Chernobyl disaster. It is the reason that 130 000 people now live in 1 square kilometer with a radiation level from 15 to 40 Curie. These numbers can not but impress; these facts are shocking. Within 13 years after the disaster we did not manage to struggle with our national trouble.

"The health of the people that were under the influence of radiation is getting worse. The risk group today is 1 940 000 people, 414 000 children are among them. Cases of thyroid cancer are 2 times more frequent in the contaminated areas and the growth of disease has not stopped from 1990. Most of the ill children are in the Brest and the Gomel regions. 61,2 percent of the people who were liquidating the consequences of the Chernobyl disaster have serious chronic diseases and there is a growth of suicide cases among them. Only 20 percent of all those who suffered from the disaster receive treatment in the rehabilitation centers."

"Belorusskaya Delovaya Gazeta," 4 February 2000.

How much more time will we spend useless in future?

Who will be responsible for the fact that today almost half of the children from the Chernobyl zone are several years backward in their development compared to other children; 22 percent of children have chronic diseases; many have 2, 3 serious diseases at the same time. Around 2 million people should be put under medical control including more than 500 000 children. But there is no money for this. There is money for huge shows and endless international festivals, for the building of palaces of sports, but there is no money for the saving of children, victims of the Chernobyl disaster. It may happen that in some time there will be no one to play in these palaces. There is an impression that Chernobyl statistics can not touch the heart of the state bureaucrats, but the amount of cases of thyroid cancer of children increased over 50 times. The state can't but know about this! It seems that Lukashenka does not understand with what fire he is playing. If he were going to be accused by future Belarusan generations it would be first of all with Chernobyl genocide. He cancelled many anti-Chernobyl programs that were developed with such difficulties. Only now one starts to understand the real sense of the words of Lukashenka at the beginning of his presidency. He said that Belarusan people would live badly but not long.

The rector of the Gomel Medical Institute professor Yury Bandazhewski who is studying and forecasting the consequences of the Chernobyl disaster was arrested on the 13th of July 1999, accused of taking bribes. Independent journalists insist that there is another reason for his arrest. This reason is his intention to tell the truth about Chernobyl. But what kinds of accusations are not used against people who are telling the truth in this country.

Physicist and director of the Belarusan Institute of Radiation Security professor Vasil Nestsyarenka also can't find an understanding with the state in his scientific research aimed to help present and potential victims of Chernobyl. These are the scientists who created the catalogue of dose radiation received by the Belarusans from the moment of the Chernobyl disaster. Vasil Nestsyarenka insists that official state norms of dose radiation adopted by the Ministry of Health Care in March 1999 are 2-7 times smaller. Last year the Institute of Radiobiology of the Academy of Sciences of the Repub-lic of Belarus developed the concept of living in the contaminated territories, but official Belarusan norms of dose radiation don't fulfill the law of social defense of citizens who suffered from the Chernobyl catastrophe.

In contrast with Russian and Ukrainian villages once and forever evacuated because of the radiation Belarusan zones continue to live. Not to live, just to survive. There is a shortage of teachers, doctors and other highly qualified specialists. Children, the future of our country, are still the most defenseless victims of radiation. The international community gives the most concrete and big help; families take children from the contaminated areas to Germany, Italy and England for at least a short rehabilitation.

Yes, people get used to their sorrows. One can not call the forecasts of the independent scientists optimistic. They are really worried about the ending of the period of the half decay of plutonium 241, which will turn into ameritsii241, not less dangerous for the human being, in 2001. Maybe Bandazhewski and Nestsyarenka are lying, having their own personal interest in doing so. Let then the state bureaucrats from science prove that. Let them prove that with concrete numbers and facts. Frankly speaking, I would really like that, but opponents are not hurrying with their proves, they were not told to discuss it. Bandazhewski is prosecuted and Nestsyarenka is in disgrace.

The tragedy goes on. No one is guilty for this. Belarusan people are patient as usually. According to all forecasts there is not much time left for this.

Ales GARKUN

Events Facts Comments

(Beginning on p.1)

On 5 February, unauthorised picket was held in Barysaw on the central square in front of the City Executive Committee. Ales Abramovich, Zmitser Abramovich, Anton Tsyalezhnikaw and Kastus' Kuznyatsow stood with placards saying: "Hands off Chechnya!" "Down with Russian imperialism!" "Freedom to Chechen people!" In five minutes after beginning they were detained by militiamen. Head of the city militia lieutenant colonel Yawstaf'yew snatched the placards out of picket participants' hands and searched them up. Guys were drawn up charge sheets for breaking the article 167 of the criminal code of the Republic of Belarus. Brothers Abramovichs obeying the decision of their organisation about public disobedience to the current authorities refused to give any explanations to the captain Kiryn and to sign up the charge sheets. In three hours picket participants were set free. Now they are waiting for trial.

On 7 February, court hearings of the Mikhail Marynich administrative case came top an end. The trial was held in the Minsk Zavadski District Court. Mikhail Marynich is a chairman of a primary organisation of the Minsk Automobile Plant Free trade union. He was charged with breaking the article 167.1 (p.2) of the Criminal Code of the Republic of Belarus – breaking the established order of conducting a meeting. The judge Khvainitskaya fined Mikhail Marynich 440.000 roubles (500 US dollars). The court process on the Mikhail Marynich case was conducted during several days. Quite a lot of witnesses – officials of the Zavadski Administration of Internal Affairs as well as security services workers of the Minsk Automobile Plant – gave their testimonies. It should be mentioned that on 16 December 1999 a thousand of members of the Free trade union gathered near the entrance check-point on the territory of the Plant during dinner break to conduct trade union assembly. It was planned to discuss a situation, which turned out between independent trade unions and the administration of the Plant.

On 9 February, the inhabitants of Barysaw City K.Kuznyatsow and A.Tsyalezhnikaw applied to the Human Rights Centre "Viasna." They reported about violation of their rights by militiamen. The point is that on 5 February after picketing K.Kuznyatsow and A.Tsyalezhnikaw were detained and brought to the charge office by militiamen. While detaining militia captain Kiryn tried to beat up picket participants, humiliated them, threatened and so on. Besides it captain Kiryn said also that the detained "cannot have their personal view point regarding the war in Chechnya." K.Kuznyatsow and A.Tsyalezhnikaw presented a brochure of the Universal Declaration of Human Rights but militiamen refused to read it.

On 9 February, Uladzimir Vyalichkin, chairman of the Brest branch of the Human Rights Centre "Viasna," was suited to the prosecutor's office of the Brest Maskowski district, where he talked with Mikalai Klimashevich – Prosecutor's assistant. The talk lasted two hours. Prosecutor's assistant asked mainly questions about the human rights bulletin "Myazha" (the border) issued by the local organisation of the Human Rights Centre "Viasna": where it is printed, what is the circulation of it, what kind of funds are used?..



Picketing near the Russian Federation Embassy on February 3.

On 9 February, court hearings of the Vera Tserliukevich case began in the Minsk Pershamaiski District Court. The point is that Vera Tserliukevich's honour a dignity were humiliated by the National TV Broadcasting Company and particularly by Alexander Zimowsky – author of the information programme "Rezanans" and TV reporter. The case is considered by the judge L.Yasinovich. Barys Gyunter, staff member of the Human Rights Centre "Viasna," as public defender is representing Vera Tserliukevich's interests in the court. A.Zimowsky himself and representative of the National Broadcasting Company were present on the trial. To recollect it we remind you that after the Freedom March, which was held on 17 October 1999 in Minsk, TV programme "Rezanans" used bad words and characteristics humiliating honour and dignity of the meeting participants. Vera Tserlukevich was an active member of the Freedom March and perceived it as a personal insult. That's why she suited A.Zimowsky and the National TV Broadcasting Company and demanded A.Zimowsky to refute that information insulting people and human dignity and asked compensation of the moral detriment done by spreading this information.

As a result of court hearings the judge Yasinovich made a decision to set a literary-linguistic expertise of the video tape of that TV programme to find it out whether there were used humiliating words and expressions or not. The judge directed that videotape to the appropriate institute of the National Academy of Sciences. The trial will go on after the linguistic expertise is done.

On 10 February, next in turn court sitting on the Mikhail Chygir case took place in Minsk. In the very beginning of a sitting Gary Paganyaila – Mikhail Chygir's public defender – made a statement concerning colonel Taranaw's appearance in press (press secretary of the General Prosecutor's office). In his interview to the newspaper "Respublika" Mr Taranaw asserts that Mikhail Chygir is a criminal who has stolen several million dollars. According to Gary Paganyila such statements are not permissible. And there is only one institution under the Constitution that is empowered to find a man guilty – it is a court. Thus, Mikhail Chygir's right to be presumed innocent until proved guilty was violated. Besides, such information published in the official press while the court hearings of the criminal case are being held has a strong influence on public consciousness and court itself. Gary Paganyaila called the process political one. The judge Vasilevich referring to the Criminal Code made an oral warning to Gary Paganyaila. He said that Gary Paganyaila's speech had nothing in common with court hearings. By this act the judge indirectly got to know to Gary Paganyaila about his possible removing from court hearings. But the judge added that Gary Paganyaila's statement would be considered separately by the court collegium.

It's enough to be slaves!

(Beginning on p.2)

what had happened to him after the open letter of his brother was published in the independent press. "I'm working as a chess coach and simultaneously studying at the Minsk State Linguistic University. Today after the lessons at about 14.00 I bought the newspaper "Narodnaya Volya" and got to know that my brother wrote an article in which he blamed the actions of militiamen on October 17 when the Freedom March was held. I entirely back up my brother and agree with him. He used to tell me earlier about militia actions and particularly about events, which took place in reality on 17 October. Today I was going home (now I live together with my grandma in Antonawskaya Street, Minsk City) and when I entered to the house's porch I saw two strangers in civil that were coming down the stairs one after another. One of them called me and asked: "Are you Mr Baturyn?" I replied: "Yes, I am!" Then he introduced himself and said that he wanted to talk with me. I answered: "My brother is also a militiaman and I know how the documents of militiaman look like and that's why first I would like to know whom I am speaking to and to see your identity cards." Instead of presenting identity cards he stroke me in the chest so heavily that it grew dark in my eyes. Then we came out. And I was told that I had to write an application about my brother's mental illness. I responded that I would never do it. They began threatening myself in response. They said that they could do everything they want with my wife to be and with my relatives. My wife to be is studying together with me. They called her name, her family name, her home address and so on. They said that I would behave differently after they had caught her. I managed to kick one of them to the knee. Another one who was holding myself by the jacket slid and fell down. Thanks God, there was very slippery. I ran away through the yards because on the road near my house there stood black car allegedly waiting for them and for me. I stopped a taxi and went to my girl. I was afraid of her. Thanks God, I met her and we together came here. I

"THE COURT UNDER OUR CIRCUMSTANCES IS MERELY A SCREEN OF POLITICAL PERSECUTIONS"

(Beginning on p.3)

youngest one is 5-year old daughter, Andrei's son is 10, and my daughter is 15... Our younger daughter when looking at Andrei's picture says, "Oh, my poor father!"

— ***Does she realise?..***

— Of course, she does. She is five years old, after all. And she is planning a lot when Lukashenka will set free her father.

— ***Do you still believe that he will be soon released?***

— Of course, I do!

— ***Recently General Prosecutor's assistant has promised on Belarusan TV to solve Andrei Klimaw's case in the near future.***

— Our court system has never experienced any problems while "fulfilling formal ceremonies." Generally speaking a court as an institution today is a screen of political persecutions. Courts in today's Belarus are needed only to make impression that legal procedure is still excites while the authorities are carried out repressions against political opponents. As far as my husband is concerned court sittings on his case are being held already for seven months, and I participated in all of them. In fact all the petitions are rejected and not considered. The results of building expertise including the second one are contradictory. They can not be the grounds for accusation – at least the professional lawyers think so.

The Prosecutor's office is an institution providing lawlessness and supervising how the law is fulfilled. It has to provide the accused- people with fair trial and their rights. It is as though an arbiter, which must keep the order. But... the investigator of my husband's case colonel Kuzhel while speaking to the head of the OSCE Advisory and Monitoring Group in Belarus said: "For ten months we have had no grounds to accuse Andrei Klimaw of." There is nothing to say if the Prosecutor's office during ten months could give warrants to keep my husband behind bars in pre-trial detention. Do you realise it? First they take a man and then their objective is to find compromising materials to charge him or her. They are looking for and looking for... And a man is kept behind bars while they are looking for compromising materials. Then an investigation addresses a prosecutor and asks him or her to prolong the investigation for certain reasons. The prosecutor is empowered to make decision concerning the fate of the accused. If the prosecutor considers that the accused must be released they set him or she free. If they during ten months kept my husband behind bars and many times prolonged the detention what should we expect from them... What are they left now to excuse their actions?

— ***Tell us, please, when did you see your husband last time?***

— I saw him on 12 January when the case was submitted to the court. We have no problems with meetings. The judge permits us to meet once a month.

— ***How does your husband feel after what has happened to him? I mean the fact of beating him up by custody guards, which became widely known.***

— Of course not very good, but it's very difficult to put down him because of his nature. He has very strong character. Custody "accommodation" and particularly the happening you mentioned told on his health state. When two years ago when they put Andrei behind bars my husband was a person in the pink of health now the doctors say that he suffers from some very serious diseases.

— ***And who are your husband's cellmates?***

— A lot of people shared the cell with my husband since he had been placed there. There were murders, criminals, and businessmen... Today I'm not interested in it. Formerly I used to ask my husband who were his cellmates; but now he is well-respected man there for he is an "old inhabitant" there. This aspect is very important in prison there is a subordination there too.

— ***When your husband was free where did you like to spend your holidays?***

— It's better to ask where did I like to spend my holidays? In fact Andrei has never been on holiday since he set up his firm and began his own business. Generally speaking in the field of resting Andrei is very original man. He liked the most to spend the days off and holidays... in Minsk. It was very difficult for him to leave his business. And that's why we could afford to have holidays far from Minsk very seldom.

— ***Do you remember once you said about gift to foresee that your husband have?..***

— Yes, many times I had an opportunity to satisfy myself of my husband's gift. And the fact that he put his signature under impeachment to Alexander Lukashenka can be explained by his presentiment regarding business and economic state in the country. He did what he could to prevent today's state of things. Unfortunately his sacrifice didn't prevent Belarusan business from collapse.

— ***Mrs Tatsyana, they say that today's head of the Union State palmed off the bricks for the building works of your husband's enterprise (a matter, which is still under the examination of the Minsk Leninski District Court)...***

— It's not completely so. But when the judge on the trial listed loudly material evidences of accusation the name of Vladimir Putin was mentioned. It turned out that when being an assistant of Sobchak – mayor of Saint Petersburg, Vladimir Putin had certain business with my husband. At least an evidence of it was his signature on behalf of a certain Saint Petersburg's firm under one of the contracts with Andrei's enterprise. And it was really so. At once requests to interrogate V.V.Putin as a witness were suggested... But nobody in the courtroom believed that my husband had a contract with VIP. And this suggestion provoked only smiles... And usually Andrei didn't let me into details of his business and didn't report whom he met with and what they agreed to do.

— ***How will you explain such a difficult life of your husband: the Ministry of Internal Affairs-private business-parliament-political imprisonment? Was it the choice of life or may be it was your husband's choice?***

— To tell the truth Andrei is an unusual man. He got used to think independently and to do everything on his own. It seems that socialist upbringing and education didn't tell on his world-outlook. Andrei is always doing what he thinks is needed to be done and he builds his life not according to stereotypes but as he wants. Everything what Andrei ever did was sensible step in his life. And such steep turns in his life are brought about entirely by his intelligent decision. But as they say man proposes, God disposes...

Interviewed by Tatsyana SNITKO

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don't know where is my brother now. I was told that he is in secure place. I'd like to emphasise that my brother Aleg is absolutely normal man. He has never had mental diseases. And till today he has been militia officer."

Deputy of the Supreme Soviet of the 13th convocation and deputy chairman of the United Civic Party Anatol Lyabedzka commented it on: "The opposition made every effort together with the OSCE Advisory and Monitoring Group in Belarus to create better political climate and climate of confidence in Belarus. Developing events are the evidence of the authorities' different understanding what the climate of confidence is. Such actions of the authorities mean that Belarus is going back to the darkest times of the Soviet Empire when the black cars drove up to people and picked them up. Alexander Lukashenka doesn't obey the rules and the militiamen fulfilling the orders merely support him. So, if the upper crust of society doesn't fulfil what the law requires the rest of the governmental bodies does the same... That's why I'm concerned about the fate of Alexander Baturyn – young Belarusan patriot, and about his relatives. It is an unprecedented case in the modern Belarusan history when the young man openly expressed his viewpoint. And now we all – journalists, human rights activists, deputies of the Supreme Soviet and lea-ders of the political parties and non-governmental public organisations – have to defend him and prevent him from persecutions."

Zmitser Bandarenka, representative of the "Charter-97", also commented on the situation: "You see that these brothers are very brave men. Today only our solidarity can help us and help brothers Baturyns and their relatives. You remember as we said after October 17, 1999 when the Freedom March was held that the end of the Freedom March was a pure provocation. It was militiamen who attacked people when the column of marchers turned back. Now we do know the truth. It turned out that the militiamen in civil threw the stones at their colleagues. Isn't it an absurd?"

Recent events prove that the punitive structures and special services are again preparing for provocation as the preparations for the "Freedom March-2" (scheduled on 15 March) are being held. They will do everything they can to upset this work and to prevent people from mass participation in this action. Aleg Baturyn's open letter frustrates the plans of new provocation.

Prepared by Palina STSEPANENKA

VALERY SHCHUKIN

CUSTODY UNIVERSITIES

Early in the morning, when I was going to the hospital canteen to have my breakfast, plain-clothed unknown people caught me and pushed me in the elevator. On the first floor they pulled me out of the hospital trough the emergency exit and pushed me into the car. At the backseat of the car they started to beat me holding my beard. The driver of the car was especially active. He was shouting that he was not a policeman and that is why he is not going to be reasonable and is going to kill me for the smallest scratch on his foreign car. These people who didn't give their names, didn't show any documents and didn't explain the reason of their behavior brought me to the Minsk Soviet District Court.

The Criminal Court of the Republic of Belarus presupposes 10 years of imprisonment for the kidnapping of people. I wrote a complaint to the Prosecutor's Office about the actions of the people who kidnapped me from the hospital and physically and morally tortured me. I received a standard answer that said that there was no criminal fact found. Belarusan police nowadays can do everything and truth is always on its side. People can't even find defense from the police's lawlessness in the court because the judges depend not only on the state but also on the police.

THE JUDGE REFUSES THE ACCUSED... MEDICAL ASSISTANCE

On the 21st of December law institutions had a day off. This was indicated on a note on the entrance doors of the Soviet District Court. The people that brought me there called judge Gancharyk and gave him the administrative case that was taken from the police station of the Savetski district. I think they demanded the judge to send me to meet the New Year in prison.

I think so because these people were behaving like masters of the court.

They didn't let the representatives of mass media into the courtroom. Moreover they forbade the journalists to talk with me. The police squad from the Savetski District reported their arrival to this people. All people that were send to court for political reasons know that if there is a police squad in the corridor there will be a decision of several days of arrest.

On my complaint about the illegal taking to the court and about the fact that I was beaten up judge Anatol Gancharyk officially answered that he was not going to discuss this. He also advised me to complain to the person who did it, the chief of the police station.

I had nothing to do but to ask him for a tablet of Validol as my heart was really in pain after such physical and moral tortures. The judge answered that he had no tablet and started the process. He started the court process on a person who was on the verge of having a heart attack. Moreover he had the description of my disease and it stated clearly that I was ill till the 4th of January 1999. He even had the confirmation of my disease on paper.

Everything was showing that I was going to meet the New Year in prison. I was saved by the presence of the journalists who unfortunately were not allowed to the courtroom. I asked the judge about the place were I was. The judge answered that I was in the court of the Savietski district. After this I demanded the presence of journalists in the courtroom which is guaranteed by article 114 of the Constitution of the Republic of Belarus.

The judge and the policemen were really surprised and after his shock the judge followed the Constitution and allowed the journalists to be present in his office that was named courtroom.

Afterwards I named witnesses and demanded legal help. I refused the defender that was proposed to me by the judge and insisted on my defender taken part in the process. Judge Gancharyk didn't dare to continue without defender, as the press was present in the courtroom. He could do nothing but appointing a new date for the court procedures. The people who kidnapped me from the hospital and brought me to court in hospital clothes didn't apologize or bring me back to the hospital. Why should they do this? No one can make them responsible for their illegal actions against citizens. My colleague journalists who came to the court brought me back to the hospital.

Heroic intentions of the policemen to make a rebellious member of opposition spend his New Year holidays in prison turned out to be absolutely useless. I met the New Year with my grandchildren. 2-years-old Mikita was especially happy about this.

MEDICAL TREATMENT IN PRISON

I continued the treatment of he scalp trauma induced by the policemen of the Partyzanski district in December in the policlinic. I was prescribed medicine, physiotherapy and a vegetable diet. My sick leave was prolonged till the 11th of January. I had to visit the doctor on the 11th of January at 12 o'clock.

On the 11th of January at 10 o'clock there was the court procedure on the administrative case that was opened against me for picketing or violation of the traffic rules on the 25th of December. I had legal reasons not to go to the court, but as a former marine officer I couldn't allow myself even a minute of weakness and I couldn't hide behind the papers.

In Belarusan court the effect of the speech pronounced by the accused as a defense is known: it has no effect. Anyway I couldn't miss the opportunity and made a speech in which I named almost two dozens of articles of the law that were violated by the policemen of the Savetski District. The judge Gancharyk, stating the conclusions of the court investigation, announced that my words were of no importance. He said that he didn't believe any of my testimony and that the only thing he believed was the facts written in the police protocol and the testimonies of the policemen. He immediately announced the sentence. It was 10 days of imprisonment without bedding, food and airing.

Complain that I had a medical leave and that I had an appointment with my doctor didn't have any effect...

(To be continued)

(Continuation. Beginning in № 1-2)

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